



06-04-07 DEP 3 REF
2201 13
2202
Atty. Dkt. No. 027668-0108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fred H. MILLER
Title: MULTI-PHASE, MULTI-COMPARTMENT CAPSULAR DELIVERY APPARATUS AND METHODS FOR USING SAME
Appl. No.: 10/804,576
Filing Date: 3/19/2004
Examiner: Aradhana Sasan
Art Unit: 1609
Confirmation Number: 7069

ASSERTION OF SMALL ENTITY STATUS & REQUEST FOR REFUND

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	07/05/2007 MGEBREM1 08000003 10804576
	01 FC:2201 100.00 OP
	02 FC:2202 325.00 OP
	03 FC:2253 510.00 OP

Sir:

Pursuant to 37 C.F.R. §1.27(c)(1), Applicants hereby assert entitlement to small entity status in the above-identified application.

Not more than three months ago, on Wednesday, May, 30, 2007, the undersigned authorized fees to be charged to the Deposit Account No. 19-0741 in the amount of \$1870.00 to cover the filing of an Amendment and Response to Restriction Requirement and the surcharge for late payment of said filing fees for this application at the large entity rate. Pursuant to 37 C.F.R. §1.28(a), Applicants hereby request a refund of \$935.00, which is 50% of the fee paid (i.e. the "excess amount"). Please credit this amount to Deposit Account No. 19-0741.

Date June 20, 2007

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Respectfully submitted,

Adjustment date: 07/05/2007 MGEBREM1
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By _____
Martin J. Gosenz _____
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Registration No: 48892